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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

V.

IVY CAPITAL, INC., *et al*;

Defendants, and

CHERRYTREE HOLDINGS, LLC, *et al.*,

Relief Defendants.

Case No: 2:11-cv-00283-JCM-GWF

STIPULATION AND ORDER TO
EXTEND TRO, ADJOURN
PRELIMINARY INJUNCTION
HEARING, AND SET RULE 26(f)
CONFERENCE

1 WHEREAS, on February 22, 2011, the Court issued a Temporary Restraining Order (the
2 “TRO”) against Defendants Ivy Capital, Inc., *et al.* and Relief Defendants Cherrytree Holdings,
3 LLC, *et al.*;

4 WHEREAS, pursuant to Section XXVIII of the TRO, the TRO is set to expire fourteen
5 (14) days after entry, unless it is extended for a longer period by stipulation of counsel;

6 WHEREAS, pursuant to Section XXVII of the TRO, a hearing is scheduled for March 4,
7 2011, at 9:30 a.m., on whether the Court should issue a preliminary injunction against
8 Defendants;

9 WHEREAS, pursuant to the TRO, Defendants’ Opposition was due by February 28,
10 2011, and Plaintiff’s Reply was due March 2, 2011;

11 WHEREAS, the parties below have agreed that the preliminary injunction hearing should
12 be adjourned until March 23, 2011, at 10:30 a.m., and that the TRO should be extended through
13 the date of the hearing;

14 WHEREAS, the parties below have agreed that Defendants’ Opposition should be due by
15 March 15, 2011, and Plaintiff’s Reply should be due March 21, 2011;

16 WHEREAS, the parties below have agreed to confer pursuant to F.R.C.P. 26(f) on March
17 29, 2011;

18 THEREFORE, the parties hereby stipulate to an order with the following terms:

19 (1) A Preliminary Injunction hearing shall be scheduled for one hour on March 23,
20 2011, at 10:30 a.m. with no witnesses;

21 (2) Defendants’ Opposition shall be due by March 15, 2011;

22 (3) Plaintiff’s Reply shall be due by March 21, 2011; and

23 (4) The parties below will hold a Rule 26(f) conference on March 29, 2011.

24
25 SO STIPULATED this 3rd day of March, 2011:


1 /s/ Emily Cope Burton
EMILY COPE BURTON
2 SHAMEKA L. GAINEY
Attorneys for Plaintiff Federal Trade Commission
3

4 /s/ Chad R. Fears
CHAD R. FEARS
5 GREG BROWER
Attorneys for Defendants
6 Ivy Capital, Inc., Benjamin F. Hoskins, Kyle G. Kirschbaum, Steven E. Lyman, John H.
7 Harrison, Ivy Capital, LLC, 3 Day MBA, LLC, ICI Development, LLC, Logic Solutions, LLC,
Sell it Vizion, LLC, Revsynergy, LLC, Global Finance Group, LLC, Virtual Profit, LLC, Vianet
8 Inc., Oxford Debt Holdings, LLC, Fortune Learning System, LLC, Dream Financial and
Relief Defendants Leanne Hoskins, Kieston Kirschbaum, Tracy Lyman. Melyna Harrison
9 Oxford Financial, LLC, S&T Times, LLC, Virtucon LLC, Cherrytree Holdings LLC, and
10 Mowab, Inc.

11 /s/ Joseph S. Kistler
12 JOSEPH S. KISTLER
MARK A. HUTCHISON
13 Attorneys for Defendants Steven J. Sonnenberg, James G. Hanchett, Fortune Learning, LLC, and
14 The Shipper d/b/a Wholesalematch.com

15 /s/ Tracy Green
16 TRACY GREEN
Attorneys for Defendants Christopher M. Zelig, Business Development Division, LLC, Nevada
17 Corporate Division, Inc., Zyzac Commerce Solutions, Inc., Corporate Credit Division, LLC,
18 Credit Repair Division, LLC, Tax Planning Division, LLC, and Relief Defendant Curva, LLC for
the limited purpose of entering into this stipulation (*pro hac vice* pending)
19

20 IT IS SO ORDERED:

21
22 
23 The Honorable James C. Mahan
U.S. District Court Judge

24 DATED: March 4, 2011
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